

**UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA**

I.J. JORDAN,)
vs.)
Plaintiff,)
HATTIE JORDAN,)
Defendant.)
Case No.: 2:10-cv-00883-GMN-PAL
ORDER

Before the Court are Plaintiff's Application for Leave to Proceed *In Forma Pauperis* (ECF No. 1) and Magistrate Judge Peggy A. Leen's Report of Findings and Recommendation related to that motion (ECF No. 3).

The Court agrees with Judge Leen's recommendation that Plaintiff's Application to Proceed *In Forma Pauperis* be denied, as Plaintiff's assets appear to greatly exceed his expenses.

In his Application, Plaintiff represents that he has \$24,000.00 in a checking or savings account; owns two Porsche cars valued at \$12,000.00; and owns his own home, for which he paid \$16,000.00. Such assets are more than sufficient to cover his \$400.00 per month in estimated expenses, as well as the filing fees associated with this case.

The Court does not, however, need to adopt Judge Leen's recommendation that the case be dismissed unless Plaintiff pays a filing fee of \$350.00 by August 23, 2010, because that recommendation is now moot, as Plaintiff paid the \$350.00 filing fee on July

1 28, 2010, (ECF No. 4).

2 **IT IS HEREBY ORDERED** that the Court ADOPTS Judge Leen's Report and
3 Recommendation (ECF No. 3) with regard to denying Plaintiff's Application to Proceed
4 *In Forma Pauperis* (ECF No. 1), but REJECTS, as moot, Judge Leen's Report and
5 Recommendation (ECF No. 3) with regard to dismissing Plaintiff's complaint if the filing
6 fee was not paid by August 23, 2010.

7 DATED this 30th day of August 2010.

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9 GLORIA M. NAVARRO
10 UNITED STATES DISTRICT JUDGE
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